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Attorneys for Defendant  
FAIRWINDS ESTATE WINERY, LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

KINSALE INSURANCE COMPANY, a  
Virginia corporation,

Plaintiff,

v.

FAIRWINDS ESTATE WINERY, LLC, a  
California limited liability company,

Defendant.

Case No. 3:21-cv-05968

**DECLARATION OF FELICIA DRAPER  
IN SUPPORT OF DEFENDANT'S  
MOTION TO DISMISS OR, IN THE  
ALTERNATIVE, STAY PROCEEDINGS**

Date: October 27, 2021  
Time: 2:00 p.m.  
Courtroom: 2  
Judge: Hon. William H. Orrick

Complaint Filed: August 2, 2021

SHARTSIS FRIESE LLP  
ONE MARITIME PLAZA  
EIGHTEENTH FLOOR  
SAN FRANCISCO, CA 94111-3598

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1 I, FELICIA DRAPER, declare as follows:

2 1. I am an attorney with the law firm Shartsis Friese LLP, counsel for Defendant  
3 Fairwinds Estate Winery, LLC ("Fairwinds") in the above-captioned action. I have personal  
4 knowledge of the facts stated herein, except as to matters stated on the basis of information and  
5 belief, and I believe such matters to be true. If called as a witness, I would testify as to the  
6 matters stated herein.

7 2. I submit this Declaration in support of Fairwinds' Motion to Dismiss Or, In The  
8 Alternative, Stay Proceedings.

9 3. Attached hereto as **Exhibit A** is a true and correct copy of the Complaint filed by  
10 Fairwinds in Napa County Superior Court on September 9, 2021, *Fairwinds Estate Winery, LLC,*  
11 *et al., v Kinsale Ins. Co., et al.*, Case No. 21-cv-001288.

12 4. Attached hereto as **Exhibit B** is a true and correct copy of an email exchange  
13 between Fairwinds' COO, Anthony Zabit, to Kinsale's Claims Examiner, Mike Mikeska, dated  
14 July 6-7, 2021  
15

16 I declare under penalty of perjury of the laws of the State of California and the United  
17 States that the foregoing is true and correct. Executed this 9th day of September 2021 at San  
18 Rafael, California.

  
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